

**Filed 7/11/18 by Clerk of Supreme Court**  
**IN THE SUPREME COURT**  
**STATE OF NORTH DAKOTA**

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2018 ND 162

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State of North Dakota,

Plaintiff and Appellee

v.

Russell Wayne Everett, Jr.,

Defendant and Appellant

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No. 20170367

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Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Bruce B. Haskell, Judge.

AFFIRMED.

Per Curiam.

Marina Spahr, Assistant State's Attorney, Bismarck, ND, for plaintiff and appellee.

Kiara C. Kraus-Parr, Grand Forks, ND, for defendant and appellant.

**State v. Everett**

**No. 20170367**

**Per Curiam.**

[¶1] Russell Wayne Everett, Jr. appealed from a district court judgment in which a jury found him guilty on two counts of gross sexual imposition. Everett argues there was insufficient evidence presented at trial to sustain the jury verdict and criminal judgment. Everett also argues the district court abused its discretion in denying his motion for new trial. We conclude there is sufficient evidence to sustain the conviction and the district court did not abuse its discretion in denying Everett's motion. We summarily affirm under N.D.R.App.P. 35.1(a)(3) and (4).

[¶2] Gerald W. VandeWalle, C.J.

Jon J. Jensen

Lisa Fair McEvers

Daniel J. Crothers

Jerod E. Tufte